

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAMES D. CORNETT, )  
Plaintiff, )  
v. ) CIV. ACT. NO. 2:17cv335-ECM  
ALABAMA DEPARTMENT OF )  
TRANSPORTATION, *et al.*, )  
Defendants. )

## OPINION and ORDER

On September 5, 2018, the Magistrate Judge entered a Recommendation granting the defendants' motion to dismiss the amended complaint (doc. # 41), denying as moot the defendants' motion to dismiss (doc. # 12) and dismissing the plaintiff's claims with prejudice. *See* Doc. # 46. On September 19, 2018, the plaintiff filed objections to the order of the Magistrate Judge. *See* Doc. # 48. The Court has carefully reviewed the record in this case, the Recommendation of the Magistrate Judge, and the plaintiff's objections. Upon an independent review of the file in this case and for good cause, it is

ORDERED as follows:

1. The plaintiff's objections be and are hereby OVERRULED.
2. The Recommendation of the Magistrate Judge be and is hereby  
ADOPTED.

3. The defendants' motion to dismiss (doc. # 12) be and is hereby DENIED as moot.
4. The defendants' motion to dismiss the amended complaint (doc. # 41) be and is hereby GRANTED
5. This case be and is hereby DISMISSED with prejudice.

A final judgment will be entered.

DONE this 7th day of November, 2018.

/s/ Emily C. Marks  
EMILY C. MARKS  
UNITED STATES DISTRICT JUDGE